



UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB04-105 (400/146))

McSwiggen et al.

Serial No. 10/783,128

Filed: February 20, 2004

Title RNA Interference Mediated Treatment of Polyglutamine (PolyQ) Repeat Expansion Diseases Using Short Interfering Nucleic Acid (siNA)

) Examiner: To Be Assigned

) Group Art Unit: 1614

) Confirmation No.: 2611

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 - a) 1st Supplemental IDS (with 1 cited reference);
 - b) PTO Form 1449;
 - c) Return postcard
2. With respect to fees:
 - a) It is believed no fee is due at this time.
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 22, 2005.

Date: March 22, 2005

By: 
Anita-J. Terpstra, Ph.D.
Registration No. 47.132



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. MBHB04-105 (400/146))

IN THE APPLICATION OF:)		
)		
McSwiggen et al.)		
)		
Serial No. 10/783,128)	Examiner:	To Be Assigned
)		
Filed: February 20, 2004)	Group Art Unit:	1614
)		
Title RNA Interference Mediated)	Confirmation No.:	2611
Treatment of Polyglutamine)		
(PolyQ) Repeat Expansion)		
Diseases Using Short)		
Interfering Nucleic Acid (siNA))		

1st SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. §1.56 and §§1.97-1.99, the applicants wish to make the following reference of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the document be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

McDonnell Boehnen Hulbert & Berghoff LLP
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Chicago, IL 60606
Tel: (312) 913-0001
Fax: (312) 913-0002

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§102 or 103.

Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. §1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

CITED REFERENCES

FOREIGN PATENTS

1. Kaemmerer et al., International Publication No. WO 2004/047872 published June 10, 2004.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Date: March 22, 2005

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

By: 

Anita J. Terpstra, Ph.D.
Registration No. 47,132

FORM PTO-1449
(Rev. 2-32)



U.S. Department of Commerce
Patent and Trademark Office

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

Atty. Docket No.

MBHB04-105
(400/146)

Serial No.

10/783,128

Applicant:

McSwiggen et al.

Filing Date:

February 20, 2004

Group:

1614

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	1.	WO 2004/047872	06/10/04	WO (Kaemmerer et al.)				

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.